

1
2
3
4
5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA
7

8 JEFF STIVERS,

No. C -12-04228(EDL)

9 Plaintiff,

ORDER

10 v.

11 RADIOSHACK CORPORATION,

12 Defendant.
13 _____/

14 Plaintiff brought this ADA access case against Defendant Radioshack, the
15 leaseholder, on August 10, 2012. The identity of the proper landlord defendant is unclear, and at the
16 case management conference held on June 11, 2013, Defendant Radioshack stated that it wished to
17 mediate with Plaintiff without the involvement of the landlord/landowner. The Court ordered the
18 parties to conduct mediation within 60 days, on or before August 12, 2013. Docket No. 25.

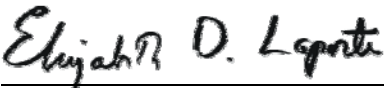
19 On July 5, 2013, Plaintiff filed an administrative motion to compel Defendant's compliance
20 with the Court's June 11, 2013 order. According to Plaintiff's counsel, she has made several
21 attempts to contact and coordinate with Defendant to set up the mediation and Defendant's counsel
22 has failed to respond. See Docket No. 26 at 3. Plaintiff's counsel reports that she has contacted the
23 mediator originally assigned to the case, who confirmed his willingness to serve as mediator and
24 alerted Defendant's counsel to his availability, but Defendant's counsel has not responded. Plaintiff
25 requests that Defendant be ordered to comply with the Court's June 11, 2013 order. See id.

26 Although the deadline for mediation has not yet passed, the Court is concerned about
27 Defendant's lack of responsiveness to Plaintiff's counsel, the potential mediator, and Court
28 personnel. The Court HEREBY orders Defendant to contact Plaintiff regarding the mediation no
later than July 23, 2013, and to comply with the Court's previously set mediation deadline of August

1 12, 2013.

2
3
4 **IT IS SO ORDERED.**

5 Dated: July 17, 2013

6 
7 ELIZABETH D. LAPORTE
8 Chief United States Magistrate Judge
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28